IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 236 OF 2006
IN
WRIT PETITION NO. 369 OF 2006

Ravindra Barku Khare ... Appellant

Versus

The Chembur Nagarik Sahakari Bank Ltd. ... Respondent

Mr. N.M. Ganguli for the appellant.
Mr. K.S. Bapat with Mr. Jayesh K. Desai for the respondent.

CORAM: **KSHITIJ R. VYAS, C.J.** &
ABHAY S. OKA, J.

DATE: **JUNE 26, 2006**.

P.C.

The appellant in this appeal seeks to challenge the order of the learned single Judge dated 20th February, 2006, passed in Writ Petition No. 369 of 2006, whereby the learned single Judge dismissed the petition filed by the present appellant.

2. We have heard the learned counsel for the parties.

3. The learned single Judge has considered the question raised by the learned counsel for the appellant viz. “can there be a fixed term

appointment of a workman in the absence of any provision in the standing orders". The said question has not been raised either before the Labour Court or the Industrial Court. The very contention which was advanced before the learned single Judge is advanced before us. In our opinion, the learned single Judge is justified in not entertaining the petition raising the said contention. Dealing with the appointment and termination of a workman subject to compliance of law for the time being in force, the learned single Judge held that there can be a composite inbuilt order indicating the date of his termination in the order of appointment itself. According to the learned single Judge, the workman gets a notice in advance that his services shall come to an end in future on a specified date.

4. We are in agreement with the reasons and conclusions arrived at by the learned single Judge. No other point has been raised by the learned counsel for the appellant. We, therefore, find no merit in this appeal. The same is dismissed.

CHIEF JUSTICE

ABHAY S. OKA, J.